

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

CHAPTER 7

JOHN ADAM KOZAK,

CASE NO. 24-04051-PWM

Debtor.

**RESPONSE IN OPPOSITION TO MOTION FOR RELIEF FROM
AUTOMATIC STAY**

George F. Sanderson III, Chapter 7 Trustee for the Bankruptcy Estate of John Adam Kozak (“Trustee”) responds to the Motion for Relief from Automatic Stay filed by Grasshopper Bank N.A. as follows:

1. Debtor filed a voluntary petition pursuant to Chapter 7 of the Bankruptcy Code on November 20, 2024.
2. The Trustee was appointed as successor Trustee on December 16, 2024 and is the current duly appointed Chapter 7 trustee for the Debtor’s bankruptcy estate.
3. Grasshopper Bank N.A. filed its Motion for Relief from Stay on December 4, 2024.
4. The predecessor chapter 7 trustee filed a response to the motion on the basis that the trustee had not had an opportunity to review the Debtor’s schedules or examine the Debtor regarding the property at issue.
5. The Court set a hearing for the motion on January 16, 2025.
6. The predecessor trustee withdrew his response upon reassignment of the case to the current trustee.
7. The meeting of creditors in this matter is scheduled for January 15, 2025.
8. The Debtor filed his schedules on December 17, 2024.
9. The Trustee needs time to review the schedules and examine the Debtor to evaluate whether there is equity in the property at issue in the motion

and/or whether the movant is adequately protected.

WHEREFORE, the Trustee respectfully requests as follows:

1. Notwithstanding the prior Trustee's withdrawal of his response, that a hearing be held on the motion on January 16, 2025;
2. That the automatic stay remain in effect pending a hearing on the motion; and
3. For such additional relief as the Court determines is necessary and just.

This the 23rd day of December, 2024.

/s/ George F. Sanderson III
George F. Sanderson III
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Chapter 7 Trustee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 23, 2024 the foregoing

Application and Declaration were served as follows:

Brian Behr (**via cm/ecf**)
United States Bankruptcy Administrator

Travis Sasser (**via cm/ecf**)
Sasser Law Firm
Counsel for Debtor

Adam M. Gottsegen (**via cm/ecf**)
Nicholls & Crampton
Counsel for Movant Grasshopper Bank, N.A.

and to all other parties receiving notices through the Court's CM/ECF system.

This the 23rd day of December, 2024.

/s/ George F. Sanderson III
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